

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

McCORMICK & CO., INC.,

Plaintiff,

Case No.: 07-CV-7244 (SCR)

-against-

STIPULATION

KARI-OUT CLUB, LLC, v/a KARI-OUT CO.,

Defendant

PERK UP, INC., s/b/a KARI-OUT CLUB, LLC,
v/a KARI-OUT CO.,

Third Party Plaintiff,

-against-

SHAMBAUGH & SON, LP,

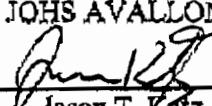
Third Party Defendant

IT IS HEREBY STIPULATED AND AGREED by the undersigned attorneys for the Plaintiff, Third-Party Plaintiff and for the Third-Party Defendant in the above entitled action, that the briefing schedule for Third-Party Defendant's motion to dismiss will be as follows: Third-Party Defendant's motion to dismiss must be served on or before January 28, 2008; Opposition must be served by Plaintiff and Third-Party Plaintiff on or before February 20, 2008; and Third-Party Defendant's Reply must be served on or before March 5, 2008.

IT IS FURTHER STIPULATED AND AGREED that a copy or facsimile of any signature(s) below shall have the same force and effect as an original.

Dated: New York, New York
January 22, 2008

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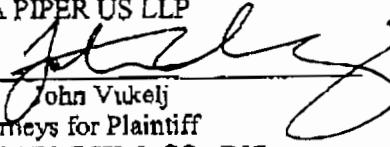
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LONDON FISCHER LLP

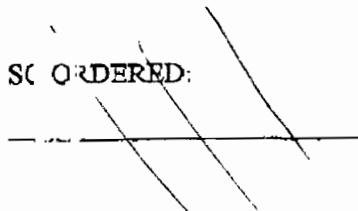
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By:



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SO ORDERED:

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LEWIS JOHS ET. AL. → 12129721030

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Attorneys for Plaintiff

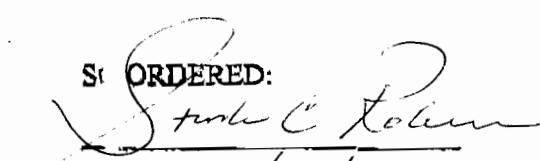
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S: ORDERED:


1/25/08

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